

BOARD POLICY MANUAL

2020/2021



BATH COUNTY
MEMORIAL LIBRARY

The library mission is:

The Bath County Memorial
Library's Mission is to provide
resources for imagination,
community enrichment, and
information.

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B Y L A W S of the BATH COUNTY MEMORIAL LIBRARY

BOARD OF TRUSTEES

Article I. Name and Authority

The name of this board is the Bath County Memorial Library Board of Trustees, hereinafter referred to as “the Board.” The Bath County Memorial Library, hereinafter referred to as “the Library,” is located in Bath County, Kentucky and is special purpose district and a tax-supported institution. The Board is a corporate body established in accordance with Kentucky Revised Statute 173.450 and has as its legal basis the library laws of the Commonwealth of Kentucky.

Article II. Purpose

The Board shall govern the operations of the Library as specified herein and with such power and authority to perform those acts, tasks, and functions described herein and permitted or required by the library laws of the Commonwealth of Kentucky to establish, equip, and maintain library services and do all things necessary to provide efficient library services in and for the citizens of Bath County.

Article III. Membership

Section 1. The membership of this board shall consist of five members in accordance with KRS 173.490. Members will be appointed in the sequence 1-2-2-0.

Section 2. Trustees are considered to be qualified to serve after they have been recommended by the Kentucky Department for Libraries and Archives and have been appointed by the Bath County Fiscal Court Judge Executive, the appointing authority, and have taken an oath of office, as set forth in 173.490

Section 3. The members of the Board shall not receive compensation for their services per KRS 173.510.

Section 4. Absence of a member from four (4) regular monthly board meetings during a term year shall be considered to be an automatic resignation from the Board in accordance with KRS 173.490.

Section 5. Vacancies on the board shall be filled by recommendation from the board. The board shall recommend two (2) persons committed to the provision of library services to the Department for Libraries and Archives, for each vacancy. The names shall be forwarded to the Department for Libraries and Archives and the state librarian and commissioner shall recommend those names to the county judge/executive. The county judge/executive shall immediately, with the approval of the fiscal court, make his selection from those recommended. (KRS 173.490)

Article IV. Terms

Section 1. Trustee terms shall begin on November 1, of the year of his/her appointment.

Section 2. Trustees shall serve a term of four (4) years unless they are removed or resign.

Section 3. Trustees may serve two (2) consecutive terms, after which they may not succeed themselves or be re-appointed earlier than 12 months after the end of their last service.

Section 4. Members continue to serve until their successors are appointed and qualified.

Section 5. When a member resigns, a successor will be designated by the appointing authority to fulfill the remainder of member's term, in accordance with KRS 173.490(2).

Section 6. The Library Board does not have the authority to accept a resignation. Resignations of office must be submitted in writing to the county Judge Executive and the Fiscal Court (KRS 63.010).

Article V. Duties of Members

It is the duty of the Board of Trustees to “establish, equip and maintain libraries and do all things necessary to provide efficient library service”. To accomplish this, the Board of Trustees shall:

1. Employ a competent and qualified library director.
2. Attend board meetings regularly and ensure that accurate records are kept on file at the Library in accordance with retention schedules.
3. Approve the annual budget and ensure that adequate funds are provided to finance the approved budget.
4. Approve and have exclusive control of the expenditure of all moneys collected, donated or appropriated for funding the Library program.
5. Determine and adopt policies to govern the operation and programs of the Library, reviewing them regularly and revising them as necessary.
6. Understand the programs and services of the library in relation to community needs and plan for future direction of library services, programs, technology, and facilities.
7. Be informed about local, state, and federal laws pertaining to libraries; actively advocate for library legislation that will improve library programs and services.
8. Develop relationships with other public officials and boards and maintain vital public relations; actively participate in a planned public relations program.
9. Cooperate and consult with the Kentucky Department for Libraries and Archives in the development of library services.
10. Attend regional and state trustee meetings and workshops; affiliate with appropriate professional organizations. [KPLA, KLTRT, KY Library Friends, ALA, PLA, ALTAFF]

11. Continue to expand knowledge of public library standards and trends by reading, attending meetings and workshops, visiting other libraries, and participating in the Trustee Certification Program.

Article VI. Officers

- Section 1. Officers shall be as follows: President, Vice President, Secretary, and Treasurer as allowed per KRS 173.500.
- Section 2. Officers are elected for a term of two years and continue to serve until their successors are duly elected. Officers are permitted to succeed themselves in office.
- Section 3. In the event of resignation or incapacity of the president, the vice president shall become president for the unexpired portion of the term. Vacancies in offices other than president shall be filled for the unexpired term by a vote at the next regular meeting after the vacancy occurs.
- Section 4. Any officer may resign from office at any time by giving written notice to the President or Secretary. Such resignation shall be effective when the notice is delivered unless the notice specifies a future date; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.
- Section 5. Any officer may be removed by a by a board action in which a majority vote of 3 members whenever in its judgment the best interests of the Library would be served thereby.

Article VII. Election of Officers

- Section 1. Officers shall be elected biennially from the appointed trustees at the November meeting in even numbered years. (amended Jan. 22, 2018)
- Section 2. The Board president, shall present a slate of officers at the October meeting during even numbered years. Other nominations may be made from the floor after the Board president has presented the slate of officers but before final action is taken. (amended Jan. 22, 2018)

Section 3. A vote is taken and upon a majority vote of 3 members the new officers begin immediately to fulfill the duties of the office to which they have been
Amendment 1 Introduction: An amendment giving the president the ability to present a new slate of officers due to vacancy or impending resignation

Section 4. The Board Chair or President, or the Vice Chair upon the resignation of the Chair may call an election of officers and present a slate of officers at any regularly scheduled meeting due to vacancy or resignation received from an officer of the board.

- a. A quorum of the board for this purpose includes all currently appointed members.
- b. The board must vote unanimously, to proceed with a motion by the president calling for elections. Any elections of officers presented in this manner will fill the unexpired terms of existing officers of the board.
- c. Other nominations may be made from the floor after the Board president has presented the slate of officers but before final action is taken.
- d. A vote is taken and upon a majority vote of 3 members the new officers begin immediately to fulfill the duties of the office to which they have been elected (adopted November 25, 2019)

Article VIII. Duties of Officers

Section 1. The Chair or President of the Board shall:

- a. Oversee the preparation of the meeting agenda
- b. Perform the duties of a presiding officer at all meetings;
- c. Appoint all committees and may serve as an ex-officio member at any committee meeting;

- d. Execute all documents authorized by the Board;
- e. Sign the approved minutes of the previous meeting;
- f. Sign the approved payment voucher at each meeting, authorizing payment of bills.
- g. **Sign checks issued to cover the disbursements on the authorization of the Board.**
- h. Authorize calls for special meetings;

Section 2. The **Vice-Chair** or Vice-President of the Board shall:

- a. Perform all the duties and assume all the responsibilities of the President in his/her absence at a regular or special meeting of the Board.
- b. **Sign checks issued to cover the disbursements on the authorization of the Board.**

Section 3. The Secretary of the Board shall:

- a. Oversee the recording and safekeeping of a true and accurate account of all proceedings of the board meetings, including records of attendance of Board members;
- b. Minutes of all meetings shall, at a minimum, indicate members present, all items of business, all motions (except those that were withdrawn), and the result of all votes taken. Minutes may be revised and/or approved only at the Board of Trustees' regular monthly meeting.
- c. Sign the minutes and the disbursement voucher after approval at the Board meeting;
- d. Issue notices of all regular meetings and special meetings;
- e. Notify any trustee who has missed three (3) regular monthly meetings in any one year of his/her term;

- f. Notify any trustee of his/her automatic resignation upon missing four (4) regular monthly meetings in any one year of his/her term;
- g. Write official letters of the board and keep these filed with official library records;
- h. Perform all the duties and assume all the responsibilities of the President in his/her absence and in the absence of the Vice-President at a regular or special meeting of the Board.
- i. The library director or a member of the staff may be designated by the Board to perform the recording and safekeeping duties of the Board's official records.

Section 4. The Treasurer shall:

- a. Be bonded as required per KRS 65.067.
- b. Be in charge of the library funds, income, securities and obligations;
- c. See that proper records are kept, showing receipts and disbursements of the Board, with vouchers in support thereof;
- d. Provide ~~for or direct the presentation of~~ a financial report for each regular meeting of the Board;
- e. Sign checks issued to cover the disbursements on the authorization of the Board, as one of the two required signatures;
- f. Report at each meeting on the state of the funds;
- g. Provide advice and recommendations regarding the Library's Income and Disbursements Policies and its Investment Policies.

Article IX. Fiscal Year

The Fiscal Year shall commence July 1st and close June 30th.

Article X. Meetings

All Board meetings and all committee meetings will be held in compliance with Kentucky's Open Meetings Act (KRS 61.805-61.850).

Section 1. Regular Meetings

- a. The Board of Trustees will meet monthly at a regular meeting time and place as mutually agreed upon by the members of the Board.

Section 2. Special Meetings

- a. Special meetings may be called by the President, or upon the written request of three (3) members for the transaction of business stated in the call for the meeting.
- b. The agenda for a special meeting will be posted at least 24 hours before the meeting at the location of the special meeting and in a public area at the Library's headquarters if different from the location of the meeting.

Section 3. Notification

- a. Notice of all meetings shall be given by the Secretary or designee to all members at least three (3) days before the meeting with an agenda for the meeting.
- b. Meeting agendas and notices shall indicate the time, date and place of the meeting; and indicate all subject matters intended for consideration at the meeting.
- c. Dates, times, and locations of all meetings shall be posted in the Library's paper of record at least once each year.

Section 4. Order of Business

- a. Call to order
- b. Review of Agenda

- c. Invitation for Public Comment
- d. Revision/Approval of Minutes of previous meeting
- e. Approval of payment vouchers and financial report
- f. President's Report
- g. Correspondence
- h. **Regional Librarian's Report**
- i. **Library Director's Report**
- j. **Professional Services Reports –Architect, Attorney, Auditor**
- k. Committee Reports (as necessary)
- l. Unfinished Business
- m. New Business
- n. **Closed Session – KRS 61.810 (b) – if needed, and KRS 61.810 (f)**
- o. Announcement of next meeting date, time, and location
- p. Adjournment

The presiding officer may change this order of business.

Section 5. The current edition of Robert's Rules of Order will be used in conducting all meetings of the Board.

Article XI. Quorum and Voting

Section 1. Quorum

- a. A quorum for the transaction of business shall consist of three members of the Board.

Section 2. Voting

- a. Each member of the Board shall be entitled to one vote, irrespective of office held, on all matters brought for a vote during a regular or special meeting in which said member is present and providing a quorum is present at the time. No voting shall be done by proxy.
- b. An affirmative vote of the majority of all members of the Board present at the time shall be necessary to approve any action before the Board.
- c. If the quorum consists of three members of the Board, their vote upon any official business brought before them must be unanimous.
- d. The President may vote upon and may move to second a proposal before the Board.

Section 3. Tax Rate Vote

- a. When voting on the tax rate, where a quorum consists of only three members, the vote must be unanimous.

Article XII. Duties of the Library Director

Section 1. The library director shall be considered the executive officer of the Board and shall:

- a. Have sole charge for the administration of the Library;
- b. Be held responsible for:
 - i. the care of the building and equipment;
 - ii. the efficiency of the Library's service to the public;
 - iii. the operation of the Library under the financial conditions set forth in the annual budget;
 - iv. the hiring, supervision, and evaluation of all library personnel;
 - v. the certification, continuing education, and development of staff members;
 - vi. attending professional meetings and library workshops;
- c. Oversee the selection and purchase of books, library materials and other necessary supplies;
- d. Attend all board meetings and report on the progress of the Library;
- e. Determine and recommend needed policies for Board action;

- f. Draw up the agenda, in consultation with the president, for board meetings.

Article XIII. Committees

Section 1. Special committees for the study or investigation of special projects may be appointed by the President, with the approval of the Board, to serve until the final report of the work for which they were appointed has been completed and presented at a regular board meeting.

Section 2. No committee shall have other than advisory powers. All committee reports and/or recommendations shall be submitted to the board at a regular board meeting.

Section 3. Committees may have citizen members, as deemed appropriate for their purpose by the Board.

Section 4. Committees are subject to all aspects of the Open Meetings Act and the Open Records Act.

Article XIV. Advisory Board

Section 1. Pursuant to the authority of KRS 173 490(1) an advisory board may be appointed and serve as specified in the bylaws of the board of trustees.

Section 2. Advisory board members are not appointed to the board. They are invited to serve by invitation of the regular board.

Section 3. Members of the advisory board may be appointed annually for one (1) year terms from July 1 to June 30 of the following year. The advisory board, if appointed, shall consist of not more than five (5) members.

Section 4. Advisory Board members shall:

- a. Fulfill duties as directed by the Board.
- b. Work for the betterment of the public library program;
- c. Give freely of their advice and help in every way possible;

- d. Not hold a voting position;
- e. Not be required to attend any set number of meetings, but are encouraged to attend whenever possible.

Article XV. Expulsion of Members

Section 1. Only the appointing authority may remove a library board trustee from his/her office according to KRS 65.007 for inefficiency, neglect of duty, malfeasance or conflict of interest.

Section 2. Should a situation arise that may require removal of a member, the Board will seek legal advice for assistance in handling this matter.

Article XVI. Policies

Section 1. In addition to operating in accordance with these Bylaws and the laws of the Commonwealth of Kentucky, the Board shall adopt policies, plans, rules, and regulations to govern its operations, and may affirm policies, plans, rules and regulations proposed by the Library Director for the management and administration of the Library.

Section 2. All of these policies, plans, rules, and regulations shall be compiled and organized in a manual to be distributed to all new board members.

Section 3. Changes to these policies, plans, rules, and regulations may be amended or changed by a majority vote of members present at the meeting which a quorum is present when the amendments and/or changes are brought to a vote.

Article XVII. Amendments to Bylaws

Section 1. All members shall be furnished a written copy of the proposed changes and/or amendments at least thirty-five days prior to any official vote on said proposed changes and/or amendments.

Section 2. Any changes and/or amendments to the official bylaws shall be read at two consecutive meetings of the Board, said meetings to be regular meetings held in accordance with the provision of the bylaws presently in effect.

Section 3. These bylaws may be amended upon the second reading of the change and/or amendments in any regular meeting of the Board, with a quorum present, by a unanimous vote of the members present, provided the amendment was stated in the call of the meeting and provided it is in compliance with the other provisions of this Article.

Article XVIII. Review of Bylaws

Section 1. The bylaws will be reviewed annually at the January meeting. The date of review of the bylaws shall be affixed to the bylaws for audit as well as indicating the action in the minutes.

Motion made by Cecil Lawson, seconded by Brenna Stamm, that the bylaws as set forth herein, be adopted and declared by the President to be the official Bylaws of the Public Library Board of Trustees. Resulting Vote: 4 Yes, 0 No. Done this day, the 25th day of January, 2016.

James “Sonny” Rawlings, President

Cecil Lawson, Vice President

Sharyn Norman, Secretary

Brenna Stamm, Treasurer

Revision to Article XII, sections 1 and 2: January 22, 2018. James Rawlings, Cecil Lawson, Brenna Stamm, Ginnie McKenzie, Sharyn Norman. Resulting Vote: 5 Yes, 0 No.

Americans with Disabilities Policy

The Bath County Memorial Library will comply with the Americans with Disabilities Act (ADA), providing equal access for all to the services of the public library and to employment within the public library system.

The Library Director and Board of Trustees will have responsibility for developing a program for ADA compliance.

SERVICES/ACCESS:

The library will review the building for necessary structural improvements and will work to implement these improvements as funds are available.

PROGRAMMING AND PUBLIC INFORMATION:

Provisions will be made to assist individuals with disabilities at programs upon the individual's request. Information concerning the accessibility of programs will be provided in all program announcements. The statement to be included in all announcements is as follows:

"Individuals with disabilities who would like assistance, please call 674-2531 at least one week prior to the program."

REFERENCE AND INFORMATION REQUESTS:

The library collection includes materials in alternative formats, including large print materials and audio cassettes. We will purchase videos with closed captions if available. There are interlibrary loan services for additional materials. On request, our bookmobile service provides materials to homebound individuals unable to come to the library.

STAFF TRAINING:

The library will encourage the development of staff awareness and sensitivity to serving patrons with disabilities. All staff will receive ongoing training to ensure proper attitude, enable them to provide assistance and emphasize the library's responsibility to persons with disabilities.

EMPLOYMENT:

The library will make reasonable accommodation in order to hire the most qualified applicant for any available position. The library will adhere to nondiscriminatory hiring practices.

The library will make reasonable accommodations in work sites and equipment in accordance with ADA.

Anti-Smoking Policy

In order to conform with the Pro-Children Act of 1994 (20 U.S.C. SS 6081), the Bath County Memorial Library has adopted an Anti-Smoking Policy which prohibits smoking in the library, community room, or bookmobile.

The Pro-Children Act of 1994 prohibits smoking in any facility used by state or local governments for the routine provision of health, day care, education, or library services to children. However, the Act is not limited to government agencies but also applies to non-government entities that receive federal funds and buildings constructed or maintained with federal funds as set forth in the federal statute. The provisions of the Act took effect on December 26, 1994. The penalty for violating this Act is a fine not to exceed \$1000.00 for each violation, or subject to an administrative compliance order, or both as determined by the Secretary for Health and Human Services. (20 U.S.C, SS 6083 f) Each day a violation continues constitutes a separate violation.

Signs **may be** posted in the library, community room, and the bookmobile.

Capitalization Policy

The policy of the Bath County Memorial Library is to capitalize assets when the useful life is greater than one year and the acquisition cost meets the capitalization threshold.

Purchased or constructed assets are reported at acquisition or construction cost or estimated historical cost. Donated capital assets are recorded at their estimated fair value at the date of donation.

Capital assets are capitalized and depreciated as outlined in the attached capitalization threshold table for the Bath County Memorial Library.

Assets will be depreciated on the straight-line basis over their estimated useful lives as outlined below.

The useful life table below shows the useful life by asset type for the Bath County Memorial Library.

<u>Asset</u>	<u>Useful Life</u>	<u>Capitalization Threshold</u>
Buildings	45-60 years	\$25,000
Building/Land Improvements	10-60 years	\$25,000
	<u>Equipment</u>	
Furniture	10 years	\$2,500
Computer Hardware	5 years	\$2,500
Office Equipment	5 years	\$2,500
Other Equipment	5-10 years	\$2,500
Vehicles (15% salvage)	3-15 years	\$5,000
Books and Materials	5-10 years	(no minimum)
Art & Antiques	not capitalized	

Compensating Control Policy

Payroll Checks and Earnings Statements

The Bath County Memorial Library is required by Federal and State law to pay all employees salary and wages within specified time periods according to established **personnel procedures**. The Library is required to make these payments in a form convertible to cash, such as check or direct deposit to a financial institution. The Library is required to make deductions from the salary and wage payments according to Federal and State laws. These deductions include but are not limited to fringe benefits. The Library is required to issue an itemized statement of all deductions for each pay period.

Payroll Schedule

Employees of the Bath County Memorial Library are paid biweekly no later than the Friday following the last day of the pay period.

Payroll Tax Related Issues

The bookkeeper is responsible for ensuring that the Library is in compliance with numerous Federal and State laws and regulations relating to the withholding of employment taxes.

Deposits

All receipts (except petty cash) are received and reviewed by the Director. The bookkeeper fills out deposit slips and makes deposit at bank.

Invoice Procedures

The Bath County Memorial Library accepts invoices from vendor, Director compares invoices to packing slips and initials and approves for payment. The invoices must contain a billing date, vendor name and address, unique invoice number, description of goods and services and amount. The Bookkeeper processes these payments in a form convertible to cash, such as check or direct deposit to a financial institution. The checks, along a copy of

the invoice and packing slip, are reviewed and signed by two (2) designated Trustees. A list of all payments is reviewed by the entire Board of Trustees at each monthly meeting.

Financial Statement Review

Financial Statement Review Procedures

The Director of the Bath County Memorial Library prepares the monthly financial statement. The Board of Trustees reviews the statement at their monthly Board meeting.

Disbursements

Cash Disbursements

The Bath County Memorial Library maintains a Petty Cash Fund for small purchases. A receipt is required for each withdrawal. The bookkeeper counts and replenishes the account at least once each month.

Ethics Policy for Library Board and Employees

The Bath County Public Library depends on the trust of the community to successfully achieve its mission. Therefore, it is crucial that all Board members and employees conduct business on behalf of the Library with the highest level of integrity and avoid the appearance of any impropriety.

Guiding Principles:

Board members and employees should uphold the integrity of the Library and should perform their duties impartially and diligently.

Board members and employees should not engage in discrimination of any kind, including that based on: race, gender, age, country of origin, class, ethnicity, religion, sexual orientation, or belief system.

Board members and employees should protect and uphold library patrons' right to privacy in their use of the Library's resources.

Board members should immediately disclose to the Board, any conflict of interest they may have with regard to any official action or business before the Board, and abstain from any involvement in or decision-making on said issue if they do have such a conflict of interest.

Board members and employees should avoid situations in which there is a reasonable probability that their personal interests may appear to be in conflict with the best interests of the Library.

Board members should abstain from any official action in which their personal interest could reasonably be perceived as compromising their ability to act in a fair, impartial and objective manner.

Board members should not use Library resources, or allow Library resources to be used, for their own personal use or benefit.

Board members and employees should not act in any way that may reasonably create an impression that they are engaged in conduct that violates their responsibilities as Board members or employees.

Board members and employees should not use or attempt to use their position with the Library to obtain personal privileges or advantages for themselves, their friends, or their families.

Board members and employees should not be swayed by partisan interests, public pressure, or fear of criticism when carrying out their official duties.

Board members and employees should strive to uphold the integrity of the Library and be respectful to their fellow Board members and Library employees in public settings.

Therefore:

To preserve and uphold Bath County Public Library’s reputation as an organization of unimpeachable integrity, each Board member and employee will sign a statement acknowledging receipt and understanding of the “Conflict of Interest” and “Ethics” policies at the beginning of each calendar year (and at the commencement of his/her service) during his or her tenure with the Bath County Public Library.

Compliance:

If any Board member or the Director appears to be in conflict of the “Guiding Principles” above, he or she will be asked to meet with the Board as a whole to discuss the issue. The Board will make a recommendation to the Board member or Director as to how he or she may rectify the conflict. Failure to rectify the conflict to the satisfaction of the Board or law may result in a Board recommendation for the removal of the offending Board member or termination of the Director. Employees who are or appear to be in conflict with the “Guiding Principles” will be asked to meet with the Director who will make a determination as to discipline or termination based on his or her findings.

Ethics Policy Acknowledgement:

The following statement will be completed and signed annually by each Board member. This requirement does not absolve any Board members of their independent obligation to disclose any conflict of interest as it arises on an ongoing basis. Completed forms shall be reviewed by the Library's attorney and retained as a part of the Library's financial records:

I, _____, acknowledge my review of the Library's Ethics Policy. As a part of my commitment to the transparent administration of the Library's business and finances, I affirm as follows:

- I have no affiliations to business, political, or other interests which would influence the decisions that I make in regards to the Library's business and finance.
- I disclose the following affiliations that may influence my decisions or that should be a consideration when actions are made by the Board:

Signed: _____ Date: _____

[County Ethics Policy adopted 6/24/2013]

Fiscal Responsibility Policy

General Purpose:

It is the policy of the Bath County Public Library that public office not be used for personal gain, and that Board members and the Director are to remain objective in their duties and responsive to the needs of the public they serve. Accordingly, the Director and Board members must maintain the highest commitment to their responsibilities as stewards of the Library.

District Funds:

The Bath County Public Library Board defines all district funds as “Public Funds.” This includes, but is not limited to, all sums actually received in cash or negotiable instruments from all sources, whether or not the money has ever been deposited into a Library account. Any money controlled by the Library, including gifts, fines, fees and all funds received from any source, are considered “public funds” and are governed by this policy.

Personal Use of District Assets:

Neither the Director nor any Board member will use or permit the use of Library funds, vehicles, equipment, telephones, materials or property for their own personal benefit or profit. Neither the Director nor a Board member will ask or require a Library employee to perform services for the personal benefit or profit of a Board member or the Director. The Director and all Board members will safeguard Library property, equipment, moneys and assets against unauthorized use or removal, as well as from loss due to criminal act or breach of trust.

Segregation of Fiscal Duties and Internal Controls:

No one person should control or perform all key aspects of a transaction or financial event. Segregation of duties is an important internal control activity that helps detect errors in a timely manner and deters improper activities. Internal controls instituted by the Library will assist the board in maintaining adequate fiscal oversight of the expenditure of funds.

The Bath County Public Library shall institute a system of internal controls and a segregation of duties which meet or exceed the 32 guidelines outlined in the Kentucky Auditor of Public Accounts - Recommendations for Public and Nonprofit Boards (March 2010 revision). The adequacy of these guidelines and our compliance efforts should be reviewed after each audit and as otherwise needed. Procedures shall be modified to correct any deficiencies discovered during regular audits or at any other time. This document is available at: http://www.auditor.ky.gov/Public/Audit_Reports/Archive/2010BoardRecommendationsLetter3-4-10.pdf. (included in Appendix)

[SEE ALSO: COMPENSATING CONTROL POLICY]

Policy Enforcement:

All Library employees, the Director and Board members are bound by this policy.

Any alleged violation of this policy by Library staff shall be investigated by the Director. If actual violation is determined, the Director shall impose sanction appropriate to the degree of violation, up to and including termination. Any employee impacted by an action under this policy may appeal to the Board, as allowed by the district's general employee policy.

Any alleged violation of this policy by the Director shall be investigated by the Board, or by a committee appointed by the Board for this purpose. If actual violation is determined, the Board shall impose sanction appropriate to the degree of violation, up to and including termination.

Any alleged violation by a Board member shall be investigated by the remaining Board members. If actual violation is determined, the Board may impose sanction as warranted, up to and including requesting the resignation of the Board member. At the option of the Board, and in accordance with KRS 65.007, the fiscal court may be requested to instigate removal proceedings for any Board member found in violation.

The Library District reserves the option of reporting any significant violation of this policy to appropriate law enforcement agencies for investigation and possible prosecution.

Adopted by the Bath County Public Library Board of Trustees this 21st day of May, 2012.

Fraud Prevention Policy

PURPOSE: To ensure that the Bath County Memorial Library Board of Trustees and employees avoid fraud or related misconduct, and conduct themselves in accordance with high ethical standards in reporting, investigating and resolving fraud or related misconduct.

STATEMENT OF POLICY:

1. Fraud is defined as a willful or deliberate act with the intention of obtaining an unauthorized benefit, such as money or property, by deception or other unethical means.

All fraudulent acts or related misconduct are included under this policy and include, but are not limited to, such activities as:

- Embezzlement, theft, misappropriation or other financial irregularities.
- Forgery or alteration of documents (checks, time sheets, contractor agreements, purchase orders, other financial documents, electronic files).
- Improprieties in the handling or reporting of financial transactions.
- Misappropriation of funds, securities, supplies, inventory or any other asset (such as furniture, fixtures, equipment, materials), including assets of the Library, our patrons, suppliers, or others with whom we have a business relationship.
- Authorizing or receiving payment for goods not received or services not performed.
- Authorizing or receiving payments for hours not worked or expenses not accrued and documented.
- Profiteering as a result of insider knowledge of Library activities.

2. Fraud and related misconduct will not be tolerated. Employees found to have participated in such conduct will be subject to disciplinary action, up to and including termination. Trustees found to have participated in such conduct will be subject to removal from the Library Board.

3. Trustees and employees are expected to use their best efforts to recognize risks and exposures inherent to their areas of responsibility and to be aware of indications of fraud and related misconduct. Any reprisal against any employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden.

Any Trustee or employee who knows or has reason to know of fraud or related misconduct shall report that to the President of the Board of Trustees or the Library Director. If the President of the Library Board is involved in fraud or related misconduct, that shall be reported to the Library Director. If the Library Director is involved in fraud or related misconduct, that shall be reported to the President of the Board of Trustees

4. When fraud or related misconduct is reported to the Library Director or the President of the Board of Trustees, an appropriate investigation and all necessary action will be undertaken. All investigations of alleged wrongdoing will be conducted in accordance with applicable laws, and Library policies and procedures.

- All Trustees and employees necessary to the investigation will cooperate fully in the investigation.
- Legal counsel will be notified and involved prior to the investigation, if or whenever appropriate.
- Trustees and employees should direct all inquiries from any individual who is believed to be involved in fraud or related misconduct, his or her representative, or his or her attorney, and all inquiries from the media to the Library Director or the President of the Board of Trustees, as appropriate.
- Neither the existence nor the results of investigations or other follow up activity will be disclosed or discussed with anyone other than the Trustees or those persons

who have a legitimate need to know in order to perform their duties and responsibilities effectively.

- Once the investigation is completed the Trustees and/or Library Director will take one or more of the following steps:

Consult with legal counsel.

Take appropriate action and steps to minimize recurrence.

Report the results of the investigation to the Board of Trustees.

Acknowledgement

My signature signifies that I have read this policy and that I understand my responsibilities related to the prevention, detection and reporting of suspected misconduct and dishonesty.

Signature: _____

Print Name: _____

Date Signed: _____

_ Trustee _ Employee _ Other Relationship _____

Genealogy and Local History Collections and Services

The Bath County Memorial Library has a large collection of local history and genealogy materials available for the public. The purpose of this collection is to provide a repository for these materials and make them available for local research. The Library will from time to time adopt procedures and internal processes to make as much of the material in these collections available as possible.

The Library will collect and maintain a collection of materials pertaining to Bath County; with the following primary purposes:

1. Bath County history
2. Genealogic and family records from the county
3. Collections that support local history and genealogy research
4. Reference materials from other counties in Kentucky

The Library is not always able to accommodate donations of local history or genealogy and may make collection choices based on the above purposes.

Adopted 6/27/2016

Internet Safety Policy

Introduction

It is the policy of Bath County Memorial Library to:

- (a) Prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications;
- (b) Prevent unauthorized access and other unlawful online activity;
- (c) Prevent unauthorized online disclosure, use or dissemination of personal identification information of minors, and
- (d) Comply with the Children’s Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

Definitions

Key terms are as defined in the Children’s Internet Protection Act

Access to Inappropriate Material

To the extent practical, technology protection measures (or “Internet filters”) shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information.

Specifically, as required by the Children’s Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

Inappropriate Network Usage

To the extent practical, steps shall be taken to promote the safety and security of users of the Bath County Memorial Library online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Specifically, as required by the Children’s Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so called “hacking,” and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

Supervision and Monitoring

It shall be the responsibility of all members of the Bath County Memorial Library staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and the Children’s Internet Protection Act.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Library Director or designated representatives.

CIPA definitions of terms:

TECHNOLOGY PROTECTION MEASURE. The term “technology protection measure” means a specific technology that blocks or filters Internet access to visual depictions that are:

1. **OBSCENE**, as that term is defined in section 1460 of title 18, United States Code;
2. **CHILD PORNOGRAPHY**, as that term is defined in section 2256 of title 18, United States Code; or
3. Harmful to minors.

HARMFUL TO MINORS. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual

- or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals;
and
3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

SEXUAL ACT: SEXUAL CONTACT. The terms “sexual act” and “sexual contact” have the meanings given such terms in section 2246 of title 18, United States Code.

Investment Policy

GENERAL POLICY

It is the policy of the Bath County Public Library to invest funds in a manner which will provide the highest investment return with the maximum security of principle while meeting the Library's daily cash flow demands and conforming to all state statutes and the Library's regulations governing the investment of funds.

SCOPE

This investment policy applies to all financial assets held directly by the Library. These financial assets are accounted for in the Library's annual financial report and include all moneys in investment fund accounts.

INVESTMENT OBJECTIVES

The Library's primary investment objectives, in order of priority, are the following:

Safety. Safety of principle is the foremost objective of the Library's investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.

Liquidity. The Library's investment portfolio shall remain sufficiently liquid to enable the Library to meet all operating requirements which might be reasonably anticipated.

Return on Investment. The Library's investment portfolio shall be designed with the objective of attaining a market rate of return throughout the budgetary and economic cycles, taking into account the Library's investment risk constraints and the cash flow characteristics of the portfolio.

INVESTMENT AUTHORITY

Management responsibility for the investment policy may be delegated by the Board to a designated official, who is usually the Library Director or Board Treasurer. The official shall

have the authority to establish additional specific written procedures for the operation of the investment program, which are consistent with this investment policy. The procedures shall include explicit delegation of authority, if any, to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established. The designated official shall be ultimately responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials and employees. The controls shall be designed to prevent and control losses of funds arising from fraud, employees' error, and misrepresentation by third parties, or imprudent actions by officers and employees. The designated official shall maintain all records related to the Library's investment program, and furnish a monthly investment report to the Board for their approval.

PRUDENT PERSON RULE

The actions of the designated official in the performance of his or her duties as manager of the Library's funds shall be evaluated using the "prudent man" standard. Investments shall be made with judgment and care under prevailing circumstances which persons of prudence, discretion, and intelligence would exercise in the management of their own affairs, not for speculation, but for investment considering the probable safety of their capital as well as the probable income to be derived.

AUTHORIZED INVESTMENTS

The funds of the Library available for investment shall be invested in accordance with this policy and all applicable state statutes only in the following type of investment instruments:

Authorized Investment Instruments

Obligations of the United States and its agencies and instrumentalities, including obligations subject to repurchase agreements, provided that delivery of these obligations subject to repurchase agreements is taken either directly or through an authorized custodian.

Obligations and contracts for future delivery or purchase of obligations backed by the full faith credit of the United States or a United States government agency and/or obligations of any corporation of the United States government as per KRS 41.240.

Certificates of deposit insured by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation or similar entity or which are collateralized, to the extent uninsured, by any obligations permitted by KRS 41.240(4).

Shares of mutual funds and money markets, each of which will have the following characteristics:

the mutual funds shall be an open-end diversified investment company registered under the Federal Investment Company Act of 1940, as amended;

the management company of the investment company shall have been in operation for at least (5) years; all of the securities in the mutual fund shall be eligible investments under this section.

Limitation on Investment Transactions

With regard to the investments authorized in this section, the following limitation shall apply:

No investments shall be purchased for the Library on a margin basis or through the use of any similar leveraging technique.

DIVERSIFICATION OF INVESTMENTS

The Library recognizes that some level of risk is inherent in any investment transaction. Losses may be incurred due to market price changes or closing investments prior to maturity due to unanticipated cash flow needs. Diversification of the Library's investment portfolio by type of investment instrument and term to maturity is the primary method to minimize investment risk.

To the extent possible, the Library will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow need, the Library's funds should not, in general, be invested in securities maturing more than 1 year from the date of the purchase. However, the Library may collateralize its repurchase agreements using longer-dated investments not to exceed 30 years, if maturities of the investments are made to

coincide as nearly as practical with the expected use of the funds. Reserve funds may be invested in securities exceeding 1 year, if maturities of the investments are made to coincide as nearly as practical with the expected use of the funds.

AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS

The Board shall maintain a list of financial institutions authorized to provide investment services to the Library. All financial institutions that desire to provide investment services to the Library shall supply the Board with information sufficient to adequately evaluate the institution and answer any and all inquiries posed by the Board, including the following information:

Audited financial statements.

Regulatory reports on financial condition.

Written Memorandum of Agreement for the deposit of public funds or trading resolution, as appropriate.

Any additional information considered necessary to allow the Board to evaluate the creditworthiness of the institution.

No financial institution shall be selected as a depository of Library funds if the Library funds on deposit at any time will exceed 10% of the institution's capital surplus and stock.

The Board shall evaluate the financial capacity and creditworthiness of financial institutions prior to the placement of the Library's funds. The Board shall conduct an annual review of the financial condition and registrations of financial institutions and based on the review, make any recommendations regarding investment policy or program changes determined to be necessary.

SAFEKEEPING AND CUSTODY

To protect against potential fraud and embezzlement, investment assets shall be secured through third-party custody and safekeeping procedures. Bearer instruments shall be held only through third-party institutions. Any officer or employee of the Library authorized to

engage in investment transactions shall be bonded in an amount established by the Board. Collateralized securities, such as repurchase agreements shall be purchased using the delivery vs. payment procedure. The safekeeping procedures utilized in the Library's investment program shall be reviewed by an independent auditor in accordance with KRS 65.065.

COLLATERAL

It is the policy of the Library to require that all cash and investments in excess of the amount insured by the FDIC maintained in any financial institution named as a depository be collateralized. In order to anticipate market changes and provide a level of security for all funds, the collateralization level shall be 100% of the market value of principal, plus accrued interest. Collateral shall be limited to the types of instruments authorized as collateral for state funds in KRS 41.240.

Collateral shall always be held by an independent third-party custodian with whom the Library has a current custodial agreement. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the Library and retained by the Board.

INVESTMENT REPORTING

The designated official shall prepare and submit to the Library Board a monthly report regarding the status of the Library's investment program. As to each investment, the report shall include the following information:

Name of financial institution from which the investment was purchased or in which assets are deposited.

Type of investment.

- Certificate or other reference number, if applicable.
- Percentage yield on an annualized basis.
- Purchase price, and maturity date.
- Current market value of the investment.

In addition, the report shall explain the month's total investment return and compare the return with the budgetary expectations.

AUDIT

In connection with the audit of Library's funds conducted by an independent certified public accountant, the auditor shall conduct a review of the Library's investment program, including internal controls and procedures, and the results of the review, including recommended changes, shall be included in the Library's audit.

INVESTMENT POLICY ADOPTION

The Library's investment policy shall be adopted by order of the Library Board and shall become effective on the date set forth in the order. The policy shall be reviewed annually and revised, as appropriate. Any amendments to this policy must be made by order of the Board.

At maturity or liquidation, the monies previously invested, if reinvested, shall be invested only in accordance with this policy. The Board may take a reasonable period of time to adjust the existing portfolio to the provisions of this policy in order to avoid the premature liquidation of any current investment.

Adopted by the Bath County Public Library Board of Trustees this 23 day of July, 2012

Meeting Room Policy

As a community service, the Bath County Memorial Library **may** make its meeting room available to the public when not being used for Library functions. Nonprofit and civic organizations may use the meeting room without charge.

The library does not advocate or endorse the viewpoints of any group or individual. Meeting room shall not be publicized in such a way as to imply Library sponsorship.

The name, address or phone number of the Bath County Memorial Library may not be used as the official address or headquarters of any organization except those affiliated with the library.

In order to continue this service, the Library requires that the rules listed in the procedures manual be observed.

Open Records Policy

Open Records Requests and Records Retention

The Bath County Public Library is subject to the Kentucky Open Records Act (KRS 61.870-61.884) and certain requirements with regard to records retention.

Retained records

The Bath County Public Library will maintain and retain its records in accordance with applicable laws and regulations. Unless otherwise provided by law, records may be retained or discarded according to the Records Retention Schedules as adopted by the State Archives and Records Commission.

Public records

Not all records of the Bath County Public Library will necessarily be “public records” under the Open Records Act, and even some public records are exempt from operation of the Act. "Public record" generally means all books, papers, maps, photographs, cards, tapes, discs, diskettes, records, or other documentary materials prepared, owned, used, in the possession of, or retained by the Library. It does not include any records owned by a private person or corporation that are in the possession of the Library or one of its employees.

Requests for records

The Bath County Public Library Director (or designee) acts as Custodian for all of the Library’s public records. Any person may request to inspect or receive copies of the Library’s non-exempt public records. All requests to view or copy the Library’s public records pursuant to the Kentucky Open Records Act must be made in accordance with current public laws according to KRS statutes.

Response

The Bath County Public Library has three business days in which to respond to an Open Records Request. This time begins to run the next business day after the request is received.

The response to an Open Record Request may: (1) grant the request, (2) deny the request, (3) explain that there will be a delay in responding to the request; or any combination thereof. To the extent a request is granted, the response will provide a timeframe when the requested non-exempt public documents may be inspected in person, or will inform the requester of the applicable copying charge and postage fee required to be paid before copies of the non-exempt public documents may be provided. To the extent a request is denied, the response will provide the legal cause for the denial. To the extent the full response to a request is delayed, the initial response will give a detailed explanation of the cause for any delay and an estimate of when a complete response may be expected.

Copies

To the extent a request is granted, copies of the responsive non-exempt public records requested may be provided at a cost of \$0.15 per page, along with any applicable postage costs, all of which must be pre-paid by the requester. Requests for specialized or non-standard copies (e.g. color or oversized copies) will be provided at the cost incurred by the Library to produce them. The Bath County Public Library may also recover costs associated with staff time expended in responding to a request made for a commercial purpose.

Commercial records requests may be charged the cost of data as though it were printed on standard 8 ½” x 11” paper. Non-public or exempt information may be redacted as appropriate from copies of otherwise non-exempt public records provided.

On site examination of records

To the extent a request is granted, individuals requesting to review records will be allowed to schedule a time to conduct on-site inspection of non-exempt public records during the regular hours of the Bath County Public Library. An on-site inspection may be required by the Library if the request is not precise in nature or if the requester resides or maintains his or her principle place of business within Bath County. Public records must be inspected in the location set by the Library. During their inspection, a requester may copy non-exempt public records (at their own cost), but may not remove, alter or add to documents provided for review. The Library is responsible for protecting the security of public records in its custody, and may require that a staff member be present during any inspection or copying of its public records.

Denial of request

Certain public records are exempt from inspection under the Open Records Act. Circulation and Library use records for individual patrons are exempt from inspection, and requests to inspect or receive copies of these records will be denied, as will a request to inspect or receive copies of any other records which either are not public or which are exempt under the Act. Under certain circumstances, the Library may find that a request would create an unreasonable burden to comply with, and may deny such a request for that reason. Requests that the Library believes are intended to disrupt its essential functions will also be denied. Reasons that a request may be deemed unduly burdensome for compliance, or which may be disruptive to the Library may include time and expense involved in retrieving and duplicating the records, or in the type and nature of the request. To the extent a request is denied, the Library will provide the legal basis for the denial to the requester.

Additional Information

Your Duty Under the Law, published by the Office of the Attorney General, and other information regarding Open Records Requests may be found online at:

<http://ag.ky.gov/civil/orom/>.

Adopted by the Bath County Public Library Board of Trustees this 23rd day of July, 2012.

Published Notice of Open Records

NOTICE

ADMINISTRATIVE REGULATIONS GOVERNING INSPECTION OF THE PUBLIC RECORDS OF THE

Bath County Memorial Library

24 West Main Street, PO Box 380, Owingsville, KY 40360

Pursuant to KRS 61.870 to 61.884, the public is notified that, as provided herein, the public records of the above named Agency of the Commonwealth of Kentucky are open for inspection by any person on written application to Brenda Vance, Library Director, official custodian of the public records of the Bath County Memorial Library whose address is 24 West Main Street, PO Box 380, Owingsville, KY 40360, during regular business hours. Application forms for the inspection of the public records of this agency will be furnished upon request to any person by an employee in this office. Assistance in completing the application form will be provided by an employee on request.

Applicants for the inspection of public records shall be advised of the availability of the records requested for inspection, and shall be notified in writing not later than three (3) working days after receipt of an application for inspection, of any reason the records requested are not available for public inspection.

Copies of written material in the public records of this agency shall be furnished to any person requesting them on payment of a fee of ten (10) cents a page; copies of nonwritten records (photographs, maps, material stored in computer files or libraries, etc.) shall be furnished on request, on payment of a charge equal to the actual cost of producing copies of such records by the most economic process not likely to damage or alter the record.

This the 23rd day of July, 2012.

Wendell Moore

(Library Board President)

Policy on Personnel

The library is an affirmative action/equal opportunity employer. No person will be denied employment on the basis of race, color, age, sex, religion, national origin, or handicap. Employment opportunities will be announced by the most suitable means. Applications for employment must be filed with the Library Director or designated person before the applicant will be granted an interview. Proficiency tests for technical skill may be required as part of the application process. The Library may not newly employ anyone related closer than a second cousin to any of its current Board of Trustee members or Director. The Library Director will be hired by the Board of Trustees. The Library Director, with the approval of the Board of Trustees, will hire all other employees.

All personnel must comply with state regulations on certification issued by the Kentucky Department of Libraries and Archives.

The Library will develop a compensation procedure and policy annually that will establish the compensation adjustments and salary scales for staff, as well as: personnel policies, work schedule requirements, classifications of employees, and obligations of the employer and employee. This compensation procedure and policy will be included in the library procedures manual.

Procurement Policy

As the governing authority of the Bath County Public Library District, the Board is authorized to enter into contracts and otherwise purchase products and services necessary to *“establish, equip and maintain libraries...and do all things necessary to provide efficient library service.”*

KRS 173.745(1).

Purchasing Authority

Unless otherwise provided for in this policy, the Director, or designee, shall have the authority to purchase or lease products or services within the budget adopted, and may sign

contracts and other instruments of the Board when authorized to do so by the Board. All procurement expenditures are subject to audit.

Any purchase or procurement of \$10,000 or more not specifically included as an item within the approved budget shall be brought before the Board for approval.

Purchases over ~~Thirty~~ Thousand Dollars (\$30,000)

As required under KRS 424.260, all purchase orders or contracts for products or services in excess of thirty thousand dollars (~~\$30,000~~), except those exempted below, must be advertised for bid. Purchases may not be parceled, split, or scheduled over a period of time in order to subvert the intent of this requirement.

All such bid processes shall be conducted according to the provisions of KRS 424.130 and 424.140.

State or Federal [GSA] Contract Pricing

As authorized under KRS 45A.050, KRS 45A.420 and KRS 66.470, the Library may purchase products and services outside of the bidding process if those products and services meet the specifications of price contracts awarded by the state Finance and Administration Cabinet or the Federal Government.

Competitive Bidding Exemptions

The following purchases are exempt by law or Finance and Administration policy from competitive bidding. However, the Board may elect at any time to solicit bids or proposals for purchase of exempt products and services in order to obtain the best value for the Library.

Contractual services where no competition exists, such as electrical energy, telephone service, and other public utility services. KRS 45A.095 45A.380(2)

Contractual Services of a licensed professional, such as attorney, physician, psychiatrist, psychologist, certified public accountant, registered nurse, or educational specialist; a technician such as a plumber, electrician, carpenter, or mechanic; or an artist such as a

sculptor, aesthetic painter, or musician, provided, however, that this provision shall not apply to architects or engineers providing construction management services rather than professional architect or engineer services, when a written determination has been made that competition is not feasible. KRS 45A.380

Subscriptions for the purchase of periodicals in either paper or electronic format. A subscription may include a professional journal, newspaper, or other required publication. KRS 45A.050 45A.380(1)

Copyrighted material in either paper or electronic format for which only one source of supply is available. Items commonly covered under this section include:

Library books. KRS 45A.095 45A.380(1)

Published books, maps, periodicals, and technical pamphlets. KRS 45A.050 45A.380(1)

Works of art for museum and public display. KRS 45A.050 45A.380(1)

Services of a visiting speaker, professor, expert witness, or performing artist. KRS 45A.095 45A.380(3)

Rates **fixed by law or ordinance.** KRS 45A.09

Cooperative purchases made between state agencies, political subdivisions, state universities, agencies of other states, or agencies of the federal government. KRS 45A.300 45A.420

Advertisements, public media, public displays, billboards, signage, and booths.

Dissemination of information and the purchase or rental of promotional related items for library use. (for clarification, see **FAP 111-09-00** 45A.380{2})

Equipment repair service and parts. (for clarification, see **FAP 111-09-00** 45A.380{5})

A product or service for which there is only one (1) known capable supplier as occasioned by the unique nature of the requirement, supplier, or market condition. (for clarification, see **FAP 111-10-00** 45A.380{2})

Contracts for group life insurance, group health and accident insurance, group professional liability insurance, worker's compensation insurance, and unemployment insurance. KRS 45A.380

A product or service made necessary by an emergency which will cause public harm as a result of the delay in competitive procedures. KRS 45A.380

Purchases Less Than Thirty Thousand Dollars

Purchases of products and services less than thirty thousand dollars (\$30,000) but more than five thousand dollars (\$5,000) may be made in the open market, without newspaper advertisement. Such purchases shall, whenever possible, be based on at least three (3) competitive written proposals or ascertained from vendor's price lists or other quote information. Award shall be made to the supplier offering the best value.

Purchases Less Than Five Thousand Dollars

Purchases of products and services less than five thousand dollars (\$5,000.00) may be made without competitive proposals but shall be made with attention to the lowest possible cost, consistent with the needs of the Library with regard to durability, performance, delivery and service.

Tax Exemption

As provided for by KRS 139.470(7), the Library is exempt from the Kentucky sales and use tax as applied to purchases of tangible personal property or services. This exemption applies only to purchases of property or services for use by the Library. The exemption cannot be claimed by a contractor purchasing property to be used in fulfilling a contract with the Library, or by a Library employee or Board member for their own personal purchases.

Payment

All invoices and pre-payments shall be paid promptly in accordance with generally accepted business and accounting practices.

The Director, in conjunction with the Treasurer, shall be the disbursing officer of the Board. In the absence or inability of the Director or Treasurer, these duties shall be performed by such other Board member(s) or staff members as the Board may designate.

Payments made by check for amounts **more than one thousand dollars (\$1,000)** shall be cosigned.

All disbursements shall be submitted for approval monthly by providing to the Board a copy of the Treasurer's report.

Purchasing Procedures

The Library's Business Office shall develop and implement procedures for regular auditing of Library expenditures, and all other procedures necessary to carry out this policy.

Adopted by the Bath County Public Library Board of Trustees this 23rd day of July, 2012.

Reimbursement of Expense Policy

Model Policy

The Bath County Public Library Board members may be reimbursed only for approved out-of-pocket travel expenses actually incurred in the performance of their duties for the Bath County Public Library, including attendance of continuing education events. Authorization by a vote of the Library Board is required for expenditures to qualify for reimbursement. Travel expenses must always be minimized to the extent reasonably possible under the circumstances.

Original receipts must document claimed expenses. No expenses will be reimbursed for friends or relatives accompanying a Board member on Bath County Public Library business. No expenses will be paid or reimbursed for non-business-related travel or extension of stay beyond completion of the business of the Library. All travel expenses must be approved to be eligible for reimbursement.

Travel meal expenses

Board members who engage in approved out-of-town travel on official Bath County Public Library business will be reimbursed for any reasonable expenses incurred for meals while travelling. (*Per diem maximum—optional*). The Library will not reimburse for the cost of alcoholic beverages. To request reimbursement, the Board member must submit a voucher with receipts attached. The voucher will be signed by the Board President and Secretary and submitted to the Library Director/Bookkeeper for reimbursement.

The Library-issued credit card may not be used for meal expenses during travel.

Business meeting meals

The Bath County Public Library's Board members do, on occasion, meet during meals or invite special guests (such as visiting performers/authors, and potential employees) for meals. The Board will approve all expenditures for business meeting meals. Expenditures for business meeting meals will be made on the Library credit card. No charges for alcoholic beverages will be paid by the Library. Business meeting meals should be reasonably priced, appropriate for the event, with care taken to limit the expense to the Library. Excessive

expenses will become the responsibility of the Board members. Receipts for all business meeting meal expenses are required before reimbursement may be made.

Mileage reimbursements

When approved out-of-town travel on official Bath County Public Library business is conducted using a Board member's personal vehicle, mileage shall be recorded and will be reimbursed by the Library. Mileage will only be reimbursed for the shortest of the most direct routes between either the Board member's residence and the destination, or the Library and the destination. The Library credit card should not be used for gasoline expenses except when used for vehicles owned, rented or leased by the Library. Mileage will be reimbursed at the rate approved by the Commonwealth of Kentucky Finance and Administration Cabinet on a quarterly basis. Please ask the Director or contact the Business Office for the current rate.

Requests for reimbursement for mileage should be made to the Business Office using the *Mileage Reimbursement* Form which should be submitted within 30 days of returning from the event.

Special transportation

Airline fares for a Board member's approved out-of-town travel on official Bath County Public Library business will be paid for by the Library in advance. Taxi cabs must be paid using the Board member's own personal funds. The Library will reimburse reasonable taxi cabs expenditures upon the Board member's return. Approved rental vehicles should be paid for with Library credit card. Board members should take reasonable efforts to seek the most economical means of travel available.

Lodging

Approved hotel expenses for approved out-of-town travel on official Bath County Public Library business should be paid for with the Library credit card. Reasonably priced accommodations (for conferences, at the conference rate) should be sought. Only reasonable expenses related to the lodging itself will be paid for by the Library. No other

expenses (telephone service, internet service, meals, etc.) should be added to the hotel expense.

Requests for reimbursement

All requests for travel expense reimbursements must be submitted on appropriate forms with appropriate supporting documentation. For special trips (such as conference attendance), reimbursement requests may be made upon the Board member's return. Routine mileage reimbursements may be requested monthly.

Safety

Board members traveling on Library business are required to wear seatbelts at all times. Traffic violations and citations are the responsibility of the driver.

Adopted by the Bath County Public Library Board of Trustees this 23 day of July, 2012.

Sexual Harassment Policy

All employees are responsible for assuring that the workplace is free from sexual harassment. Because of the library's strong disapproval of offensive or inappropriate sexual behavior at work, all employees must avoid any action or conduct which could be viewed as sexual harassment, including, but not limited to:

- Unwelcome sexual advances;
- Requests for sexual acts or favors;
- Granting or denying job benefits based on receptivity to sexual advances;
- Other verbal or physical conduct of a sexually harassing nature that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Any employee who has a complaint of sexual harassment at work by anyone, including supervisors, co-workers or visitors (customers) must bring the problem to the attention of their supervisor, director or the assistant director. In certain instances, if the employee is uncomfortable addressing the director the board may be approached directly.

All complaints will be promptly and carefully investigated by the administration, and all employees are assured they will be free of any and all reprisal or retaliation from filing such complaints.

An administrative investigation will include interviews with all relevant persons, including the complainant, the accused and other potential witnesses. In determining whether alleged conduct constitutes sexual harassment, the record as a whole and the totality of the circumstances, such as the nature of sexual advances and the context in which the alleged incidents occurred will be examined. A determination of appropriate action will be made from the facts, on a case-by-case basis.

All employees should be aware that the privacy of the charging party and person accused of sexual harassment would be kept strictly confidential.

The administration will review the finding with the complainant at the conclusion of its investigation. If the investigation reveals that the complaint appears to be valid, immediate

and appropriate corrective action, up to and including discharge, will be taken to stop the harassment and prevent its reoccurrence. If the validity of the complaint cannot be determined, immediate and appropriate action will be taken to assure all parties are reacquainted with the sexual harassment policy and to avoid sexual harassment in the future.

Any finding can be appealed to the Bath County Memorial Library Board of Trustees using the existing grievance policy.

If a complaint involves a member of the administration, then a written request should be made to the president of the Board of Trustees to establish a committee to investigate the complaint.

Prevention is the best tool for the elimination of sexual harassment. The library board and the administration express strong disapproval of any acts that can be construed as an act of sexual harassment of any library employee or member of the public using the library. (This includes inappropriate jokes, displays of posters, etc.)

Approved 4/23/2012

Social Networking Policy

The Bath County Memorial Library Social Networking Policy applies only to those Library-sponsored sites created and maintained by the Bath County Memorial Library. While Bath County Memorial Library recognizes and respects differences in opinions, all comments, posts and messages will be monitored and reviewed for content and relevancy by the director or other designated employee(s).

Approved 4/23/2012

Sponsorship Policy and Procedures

The Bath County Public Library welcomes sponsorship from local business, corporations, families and individuals. The aim of sponsorship is to obtain funding or in-kind support to provide services and equipment that may not otherwise be available. The Board believes that libraries play an essential role in the quality of life of our citizens, and in this important function, the Library should be supported through public funding. Therefore, sponsorship revenue should only be used to fund additional, optional services or new, "startup" services.

Guiding Principles

The following principles will guide the Bath County Public Library in the solicitation and acceptance of gifts, grants or other support to enhance or develop library programs and services:

- All gifts, grants and/or support must further the Library's mission, goals, objectives and priorities. They must not drive the Library's agenda or priorities.
- All gifts, grants and/or support not compromise equity of access to Library services. Sponsorship agreements must not give unfair advantage to, or cause discrimination against, any sectors of the community.
- All gifts, grants and/or support must protect the principle of intellectual freedom. Sponsors may not direct the selection of collections or require endorsement of any products or services.

- All gifts, grants and/or support must ensure the confidentiality of user records. The Library will not sell or provide access to Library records in exchange for gifts or support.
- All gifts, grants and/or support must leave open the opportunity for other actual or potential donors to have similar opportunities to provide support to the Library.

Gifts of books or other Library materials will be accepted in accordance with the terms outlined in the Library's Collection Development Policy.

Recognition and Acknowledgement

The Library will ensure that each sponsor receives acknowledgement, and to the degree that the donor is willing, public recognition. The following guidelines will be used in providing acknowledgement to and recognition of sponsors:

A letter of acknowledgement for gifts of money and in-kind support will be sent to all sponsors and a copy will be placed on file.

Any special recognition agreements will be stipulated in the letter.

Public acknowledgement of sponsorship in the Library's promotional materials will normally be restricted to a statement of the sponsor's name and a display of logo. Standards controlling the size format and location of such acknowledgment will be developed by the appropriate staff person to ensure both consistency and quality of appearance. Such acknowledgement will not take precedence or have prominence over the library's own logo or promotional material.

For gifts and/or sponsorships valued at over \$500, the Library may submit a press release to local newspapers and/or publish an article regarding the sponsorship in their own newsletter if the sponsor is willing.

Acknowledgement of sponsorship may also take the following forms at the Library's discretion:

Launch of a special program or media campaign to announce the gift.

Include sponsor's name on promotional materials.

Small standardized plaques may be placed on donated furniture or equipment.

Library bookplates will be placed on donated items.

In all cases, the type and scope of donor recognition required by the donor will be weighed against the benefit to the Library.

Approval

All gifts, grants or in-kind support given with special requirements must be approved by the Director.

Authority for Implementation

The library reserves the right to make decisions regarding the implementation of each grant, gift, or offer of in-kind support. Purchasing decisions, including type of equipment, materials, furnishings, and other components of a gift will reside with Library management. All details as to design of programs and allocation of resources will also reside with Library management. The Library reserves the right to deny partnerships or sponsorships for any reason and to end these arrangements at any time if, in the opinion of the Director, the services or image of the Library warrant such action.

Adopted by the Bath County Public Library Board of Trustees this 23rd day of July, 2012.

Travel Policy

PURPOSE

The Bath County Memorial Library Board of Trustees recognizes that there is benefit to the Library for staff to attend conferences, meetings, seminars, and other training opportunities. In order to encourage attendance, the Board of Trustees authorizes reimbursement for eligible expenses related to such travel, subject to budget restraints.

INTRODUCTION

Bath County Memorial Library staff and its trustees **shall be granted funding** for actual expenses incurred in the conduct of library business according to this policy. All disbursements will be subject to review and adjustment.

ELIGIBILITY

This policy applies to current Library Trustees and all library employees who are authorized to travel on Library related business. The board may deny authority to incur expenses, based on fiscal restraints placed on the library.

REQUEST FOR REIMBURSEMENT FORMS

In order to be reimbursed, the employee must fill out a *Travel Expense Reimbursement Form*. This form must be submitted to the Library Director within 30 days of completion of travel.

In order to be reimbursed, the original receipts must be kept as documentation of travel expenses.

ALLOWED EXPENSES

Reasonable, necessary and non-taxable expenses for authorized travel will be reimbursed.

Registration

The lowest available registration for a meeting, if possible, for conference, convention or work session shall be paid. When possible, registration is to be prepaid by the Library, by use of the library credit card.

Transportation

1. Actual cost of air or other mode of travel on Library business shall be paid. All travel is to be by coach/economy class. When possible, travel costs should be billed directly to the Library credit card. In all cases, receipts and canceled tickets are required for travel reimbursement.

a. When a personal or extended trip (i.e. vacation taken before or after a meeting) results in eligibility for a reduced fare, the Library shall pay the reduced fare for a direct route trip from Bath County Memorial Library to the business site and return. All other expenses incurred at the site preceding or following the meeting dates, which are not part of the library-related business trip, are the sole responsibility of the traveler.

b. If it is determined in advance by the board and director, that it is in the best interest of the Library to have a person stay longer than the meeting, then the Library will reimburse all eligible expenses.

2. Actual expenses of transit, taxi, tolls and parking fees shall be paid. A receipt must be submitted if provided by the vendor.

3. The use of personally owned vehicles shall be governed by the following guidelines:

a. If an employee uses his/her personal vehicle, reimbursement will be at the prevailing state rate.

b. Personal vehicles must be covered by mandatory liability insurance.

c. If a rental car is used during travel, only a library employee may drive the vehicle.

d. Must have a valid driver's license.

4. An employee using a personal car during the workday for business travel must log mileage to be submitted on the Travel Expense Reimbursement, one time during the month.

Meals

The library will provide funds for meal expenses occurring because of approved travel at the existing reimbursement rates established by the Kentucky Finance and Administration Cabinet.

Alcoholic beverages will not be reimbursed.

Lodging

1. Actual cost of hotel or motel accommodations, including lodging taxes, business related telephone calls and parking fees included in any hotel or motel bill shall be paid. Receipts are required for hotel/motel accommodation reimbursements.

If a hotel/motel accommodation includes a family member or non-Library traveler, reimbursement will only be for that portion of the expense attributable to the Library traveler claiming reimbursement at the single room rate.

CREDIT CARD POLICY

Use of the library district's credit card to pay for travel related expenses shall be governed by the following:

1. Limiting the use of credit cards to authorized travel expenses only.
2. Submission of original receipts by the employee or district board member for all credit card uses.

The credit card shall not be used for personal expenses or entertainment.

LIGHT REFRESHMENTS AT MEETINGS CONDUCTED BY THE LIBRARY

Light refreshments, provided for a meeting, including coffee, may be reimbursed if:

1. The purpose of the meeting is to conduct library business, provide formal training sessions that benefit the library, or recognize library or employee accomplishments; and

The meeting involves Trustees or library employees.

(Approved 4/23/2012)

Trustee Orientation Policy

The Bath County Public Library recognizes the importance of Board member orientation to the Library's efficient operation. Once a Library Board member has been appointed and taken the oath of office, the Board member will go through an orientation process that encompasses the information and tools needed to understand the duties and responsibilities of being a Board member. This orientation process will be conducted collaboratively by the Director, President, and the Kentucky Department of Libraries and Archives Regional Consultant.

Once the new Board member has been appointed, the Director or President will contact the Board member to welcome him/her to the Board and set up an appointment to have an orientation session. The Director will assist in scheduling an opportunity for the regional consultant to provide additional orientation information in conjunction with, or in addition to, the Library orientation.

Board member orientation includes introducing the Board member to the following documents, as well as any other documents necessary for compliance with Kentucky law governing libraries and information specific to the Bath County Public Library:

- The Kentucky Public Library Trustee Manual
- A list of Board members with their contact information, terms of office, and offices held
- The location and schedule of Board meetings, Board bylaws and policies
- A sample agenda

Documents each Board member must receive within 60 days of their appointment shall be included at the orientation: *Your Duty Under the Law*, *Managing Government Records*, and the Proof of Receipt to acknowledge that those two documents have been received. When the Proof of Receipt has been signed, copies of these documents will be retained by the library.

Additional documents that may be provided by the Director as part of the Board member orientation process may include the following documents, among others:

- The Library’s latest Annual Report
- The Library’s Standards Report
- The Library’s long-range or strategic plan
- The Library’s current and previous year’s budget
- The Library’s tax rate (taxing districts only)
- Board packets from the previous three months’ meetings, including minutes, statistics, and financial reports
- An organizational chart of the Library staff with names and titles
- A copy of the Library’s policies or the location where they can be accessed
- Brochures or other concise information about the library or library services
- PR or information on any recent Library accomplishments

The orientation process shall also include a tour of the Library facilities and an introduction to the Library staff, allowing the new Board member to ask questions in context as they view the different services, activities, and areas of the Library facilities.

Some topics that could be addressed and discussed during the tour include:

- How the Library is operated on a day-to-day basis
- How the Library is linked to other resources and libraries
- How the Library serves the needs of the community
- How the Library could better serve the needs of the community

Every attempt will be made by the President, Director and Kentucky Department of Libraries and Archives Regional Consultant to provide the new Board member with any additional pertinent information requested to assist in equipping the Board member with the knowledge and skills necessary to succeed in their new role.

Adopted by the Bath County Public Library Board of Trustees this 23rd day of July, 2012.

Unattended Children

The Library is not responsible for unattended children and is mandated by statute to report suspected neglect or abuse (KRS 620.030).

Definitions

For the purposes of this policy, the following definitions shall apply:

A “child” is considered to be a patron who is seventeen (17) years of age or younger.

A child is considered to be “unattended” when the responsible party is unable to communicate reasonably with the child.

A “disruptive” child is one whose actions disturb others or damage items belonging to the Library or to others.

The “responsible party” must be at least seventeen (17) years of age.

Neglect or Abuse

In no instance may a child under the age of 10 be left without a caregiver physically present in the building.

Neglect will be reported to law enforcement in the following cases:

Children aged 10-13 may be unattended for limited periods of time as long as they abide by the Rules of Conduct Policy. **If a child under age 14 is in need of supervision and no parent or guardian can be located in the building or otherwise contacted, library staff will notify the police.**

Children at least 14 years of age or in high school may be unattended as long as they abide by the Rules of Conduct policy.

Any case of suspected abuse will be reported to the Director.

Disruptive behavior

The Library will report to law enforcement any instance where an unattended child is disruptive and does not respond to the correction of staff. Law enforcement may be asked to remove unattended children whose caregivers cannot be found.

Children left after closing

Children left to wait outside the building for a ride after the library has closed are placed in a vulnerable position. Staff members are not responsible for the safety of a child once the library has closed. Under no circumstances will a staff member provide unattended children with transportation. However, staff members will attempt to contact parents. If they are unsuccessful, the police will be summoned to assist the child.

When unattended children remain at the Library after closing, Library staff will immediately attempt to call the caregiver for the child. Staff will also contact law enforcement officials after 15 minutes of waiting for a caregiver to arrive. Two staff members will remain with the child until a caregiver or law enforcement officials arrive. Staff may leave after law enforcement or a caregiver arrives, children over 15 may be asked to leave the premises on their own, based on staff discretion.

Library privileges may be curtailed when a child is repeatedly left on the Library's premises after closing.

Reports

Incident reports will be written for any incident involving the neglect of a child. Incident reports will be written and submitted for any disruptive behavior in which law enforcement is notified. Repeated incidents involving a particular child may result in loss of Library privileges for both child and caregiver

Weapons in the Library

In accordance with KRS 237.115, the Bath County Public Library cannot prohibit adult users from carrying concealed or unconcealed deadly weapons onto the premises. However, the Bath County Public Library does request that users not bring deadly weapons into the library unless doing so for professional purposes, such as the carrying of deadly weapons by law enforcement personnel.

Per KRS 527.100, the Bath County Public Library prohibits juvenile users (those under the age of 18) from carrying handguns, except in the circumstances prescribed by KRS. 527.100.

Approved 2/25/13

Whistle Blower Policy

The Bath County Public Library is committed to operating in compliance with all applicable laws, rules and regulations, and it prohibits unlawful retaliatory practices against its employees by any of its board members, officers, employees, or agents. This policy outlines a procedure for employees to report any actual or suspected violations of law or policy, or any facts or information relative to actual or suspected mismanagement, waste, fraud, abuse of authority, or substantial and specific danger to public health or safety to any public body with apparent authority to remedy or report such actions. This policy applies to any matter which is related to the Library's business and does not relate to private acts of an individual not connected to the business of the Library.

The Bath County Public Library will not subject any employee to reprisal, either directly or indirectly, for having made a good faith report of suspected wrongdoing of the type set-forth above, either internally to the Board or Director, or externally to any public body with apparent authority to remedy or report such wrongdoing, nor will the Library take any such retaliatory action against any person who supports, aids, or substantiates such an employee in having done so.

In addition, the Bath County Public Library will not, with the intent to retaliate, take any action harmful to any employee who has provided to law enforcement personnel, or a to court, truthful information relating to the possible commission by any of its employees, officers, Board members or other agents, of any wrongdoing of the type set-forth above.

If a Bath County Public Library employee has a reasonable belief that any of the Library's officers, employees or Board members has engaged in any wrongdoing of the type set-forth above, that employee is encouraged to immediately internally report such information to the Library Director or to the Board of Trustees.

Suspected wrongdoing of the type set-forth above may be internally reported by the employee confidentially or anonymously. Reports of suspected wrongdoing will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

All internal reports of suspected wrongdoing of the type set-forth above will be promptly investigated as appropriate. In conducting its investigations, the Bath County Public Library will strive to keep the identity of the reporting employee(s) as confidential as possible.

The Bath County Public Library may take disciplinary action (up to and including termination) against any employee who has engaged in unlawful retaliatory conduct in violation of this policy.

Procedures for reporting employee grievances

The Bath County Public Library utilizes an open door policy for reporting actual or suspected violations of law or policy, or any facts or information relative to mismanagement, waste, fraud, abuse of authority, or danger to public health or safety, or any matter that is related to the Library's business.

An open door policy implies that when employees have a concern they should first approach their supervisor or Library Director for an informal discussion and attempt at resolution, and if not satisfied, should write a formal complaint to the Board of Trustees, Kentucky Department for Libraries and Archives, State Auditor or State Attorney General.

Reference to Kentucky law (KRS 61.102) notifying employees, as defined in KRS 61.101, of their rights to protection against retaliation for reporting violations to certain authorities

Adopted by the Bath County Public Library Board of Trustees this 23 day of July, 2012.

Appendix

Auditor of Public Accounts

Recommendations for Public and Nonprofit Boards

Revised 3/4/10

The Auditor of Public Accounts, as a result of recent investigations, makes the following recommendations to assist public and nonprofit Boards in designing and implementing internal controls. These recommendations should assist Board members in providing appropriate financial oversight. The following is a brief summary of various financial policy areas that Board members should consider. After each control area is considered, a policy should be developed to address the specific business model of the organization.

1. The Board should have a well defined, clear mission statement to serve as a platform for policies, operational plans, and resource allocations that further the interest of its organization's members.
2. The Board should facilitate the development of an annual orientation program and manual for new and returning Board members to ensure an understanding of the Board's structure, operations, and their legal and fiduciary responsibilities. An explanation of the budget and accounting structure, as well as revenue and investment information should also be included. If possible, the orientation should be facilitated by a knowledgeable, independent party, such as a Board attorney or consultant.
3. The Board should ensure that its organizational structure maintains a flexibility that allows for multiple sources of information. The Board should request reports from individuals having responsibility for various program areas rather than from just the chief executive.
4. The Board meeting minutes should document the exact nature of the financial reviews conducted by the Board. Any issues that result from these reviews and action taken to resolve the issues should also be documented.
5. For Boards who fall under the open meetings law, sessions closed to the public should be entered into in accordance with KRS 61.810. Any conclusions or decisions reached

during a session closed to the public must be documented in the Board meeting minutes as stated in KRS 61.815, clarified in OAG 81-387.

6. The Board should establish an independent process to receive, analyze, investigate, and resolve concerns related to the organization including anonymous concerns. Employees, business associates, customers, or the general public may have significant, beneficial information that they are uncomfortable reporting directly to the Board. A toll-free complaint number or an advertised email and postal address for feedback would allow the transmission of this information. In addition, where applicable, the Board's policy should include a reference to Kentucky law (KRS 61.102) notifying employees, as defined in KRS 61.101, of their rights to protection against retaliation for reporting violations to certain authorities. A whistleblower policy should be adopted and distributed to employees. The policy should include reporting procedures and management's responsibility to address issues reported.
7. An internal audit function could be used to ensure that Board concerns are independently investigated. The individual designated to perform internal audits should be given the authority to investigate and examine any area designated by the Board and the responsibility to report the audits findings directly to the Board.
8. A Board audit committee should appoint and compensate the audit firm and ensure the rotation of the lead audit partner and the audit partner reviewing the audit, as required by the Sarbanes Oxley Act (SOX) for companies with publicly traded stock. The Board should also consider whether rotating audit firms would be beneficial given the facts and circumstance of the organization. Further, if possible, the Board audit committee should be comprised of at least one member who has an understanding of generally accepted accounting principles and financial statements, experience with internal controls and in preparing or auditing financial statements, and an understanding of audit committee functions, as suggested in Section 407 of SOX. In addition, reviews of internal controls should be conducted to ensure that controls are functioning as designed or needed. The review of internal controls could be conducted by an internal auditor, Board designee, or included in the engagement of an auditing firm. Any concerns noted by the Board should be disclosed to the auditor and included in the audit scope for review.
9. The Board should adopt a code of ethics that includes standards of conduct for its Board members, officers, and employees related to business conduct, integrity, and ethics. The policy should include the requirement to sign a form stating that the individuals have received and understand the code of ethics. The code should include statements regarding moral and ethical standards, confidentiality, conflicts of interest, nepotism, gifts, honoraria, and assistance with applicable audits and investigations. Violations of

the code of ethics should be reported to the Board or designated committee of the Board.

10. The Board should adopt a financial disclosure policy for Board members and executive management. A policy should also be developed requiring Board members and executive management to disclose any conflicts of interests. The disclosure form should be completed by a specified date and returned to the appropriate committee of the Board.
11. The Board should establish and approve a detailed, equitable personnel and compensation policy. The policy should include that the Board or a designated Board committee annually review the salary increases and bonus payments made to all staff. This review should be documented in the Board meeting minutes.
12. The Board should define and document all employee benefits in a fair and equitable manner. Benefits received that result in taxable income should be properly accounted for and accrued to each applicable employee. Employee benefits should also be reviewed to ensure they provide a reasonable business purpose. Also, membership fees to organizations or associations should provide a reasonable business benefit.
13. The Board should approve the compensation package of the organization's primary executive and be aware of the compensation provided to other Executive Staff. In determining the compensation for the primary executive, the Board should consider the organizations financial resources, current economic conditions, employee performance, and salary data for similar positions at relevant organizations within the region.
14. The Board should ensure a well-defined employee evaluation system is implemented within the organization to consistently assess employee performance. The results of the employee's evaluation should be used for employee advancement or salary adjustments.
15. The Board should adopt policies to ensure all forms of employee leave are properly approved and accurately recorded.
16. The Board should have sick and vacation leave policies that address the accrual, use, and the payment to employees for any unused sick, vacation, or compensatory time.

17. The Board policy should include a transparent, competitive selection process for the procurement of goods and services. The policy should outline the circumstances under which quotes or competitive bids are required and the process to be followed. The Board should have policies that require a formal contract for purchases over a specified amount and that all contracts over a specified dollar amount require Board approval.
18. A review of budget to actual expenditures should be performed regularly by the Board or a designated Board Committee to monitor costs in each account. The name and number of budget categories or line items should provide transparency and sufficient detail to allow Board members to accurately identify the types of expenses being attributed to each category. If expenditures occur at an unexpected rate, additional detail should be requested to ensure that incurred expenditures are reasonable and necessary.
19. At least quarterly, the Board or a designated Board committee should receive and review a listing of payments that includes, at a minimum, the payee, dollar amount, and date of each expenditure. This review would assist in identifying inappropriate, unusual, or excessive expenditures.
20. Executive management traveling out of state should present their plans and estimated costs to the Board for prior approval. The approval of these activities and associated costs should be addressed at the Board meetings to ensure proper documentation in the minutes. Subsequent to attending approved conferences or activities, the amount expended should be reported to the Board.
21. To minimize and control the cost of travel, a travel expense policy should be developed that specifically defines the allowable costs related to lodging, meals, entertainment, personal mileage reimbursement, rental cars, and airfare. The travel expense policy should state the invoice requirements for the reimbursement of certain expenditures such as taxi fees, tips, parking, or tolls. The policy should provide examples of expenditures that are to be paid for by the employee, such as costs incurred by family members or the attendance at events not approved by the Board. This policy should explicitly state that expenses not in compliance with the travel expense policy would not be reimbursed or paid by the Board.
22. In lieu of credit cards, the Board should consider the following:
 - The use of purchasing cards that would allow the Board to restrict the types of purchases that can be made on the card based on industry codes. Casinos, specialty retail outlets, and food and beverage establishments are examples of these restrictions. The amount spent on a single purchase can also be restricted through the use of a purchasing card.

- Reimburse employees personal credit card charges when the use is necessary. Procedures and supporting documentation requirements should be developed to facilitate this type of reimbursement.
23. If the use of credit cards is needed, the Board should implement the following oversight controls:
- A Board member or committee of the Board should be assigned to review, at a minimum, credit card statements of Executive Staff prior to payment.
 - Credit card charges should be supported by detailed receipts, documented business purpose, and supervisory approval. The employee should be responsible for the timely payment of any unsupported credit card charges or disallowed expenses.
 - Policies established by the Board should ensure that all review procedures are performed in a timely manner to avoid late fee and finance charges.
24. Expenses classified as gifts or entertainment should be documented to include the name and title of the person(s) involved and a description of why the expense was needed and how it relates to business operations.
25. A policy related to reimbursements made by employees to the organization should be developed to ensure that any expenses that should be paid by an employee are monitored. This policy should include the timeframe allowed for making the reimbursement and the alternative actions that will be taken if reimbursement is not made.
26. Business expense reimbursements requested by executive management should be reviewed by the Board or a designated Board committee to ensure supporting documentation is provided. This documentation should be retained to ensure that duplicate payments are not made to the employee.
27. Specific marketing goals should be developed to monitor the success of any business promotions approved by the Board. Marketing expenditures incurred should be coded to that goal so that Board members will know the expenses involved in a specific marketing promotion. Further, documentation should be maintained detailing the recipients of promotional prizes including tickets, trips, or merchandise.

28. A Board policy should be developed to address the authorization process to purchase vehicles and the method used to dispose of vehicles. The use and assignment of vehicles owned by the organization should be addressed within this policy. In addition, the practice of providing a vehicle should be reviewed and monthly vehicle allowances considered. The policy should include following the IRS guidelines for personal use of a vehicle.
29. The personal use of business equipment should be addressed within Board policy to determine when appropriate. The policy should require that equipment being used inappropriately or that is missing should be reported directly to the Board.
30. The Board should establish a policy detailing the process to report lost or missing financial information or records. To avoid lost or stolen financial information, electronic images of financial records should be created and retained, if possible.
31. A formal policy should be developed that identifies what equipment is a fixed asset and should be included as inventory. Once this designation has been made, the existing inventory listing should include the following identifying information related to each piece of equipment:
- The name of the individual in receipt of equipment;
 - Description of equipment;
 - Vendor name;
 - Model number;
 - Serial number;
 - Acquisition date; and,
 - Acquisition cost.

Once the inventory listing has been validated, any acquisitions and dispositions of computer equipment that fall within the fixed asset policy should cause an appropriate update to the inventory listing.

32. An information system policy should be developed that explicitly defines a user's responsibilities as they relate to information system resources and applications. These policies should cover, at a minimum:
- Securing of user id and password;
 - Protection against computer virus or mal-ware infection;
 - Legal notice at logon indicating system is to be used for authorized purposes only;
 - Securing unattended workstations; and, securing portable devices, such as laptops, Blackberries, cell phones, etc.

Directions for Going Into Executive Session

Library Board meetings are subject to Kentucky's Open Meetings Act (OMA) and are limited as to what may be discussed in closed (executive) session. The three most common reasons and the steps used to go legally from open meeting to closed session are listed below.

In addition to citing the KRS number and general exemption category (property, litigation, or personnel), the minutes must also record the specific reason. This must be more specific than the categories listed above, but need not be so specific as to negate the need for private discussion. Examples of specific reasons are included below.

The President or any other Trustee states, "I move that the XYZ Library Board go into closed session under KRS 61.810...*[choose an option below]*." The motion requires a second and a majority vote. The President (or other presiding officer) will state for the minutes, "The XYZ Library Board will go into closed session at 7:28 PM." This motion, second, and vote and the exact time will be recorded in the minutes.

... under KRS 61.810, Section One, Subsection **b** *[written as KRS 61.810(1)(b)]* to discuss the purchase [or sale] of property for the Library."

Ex. 1: "The reason is to discuss a counteroffer by the seller."

Ex. 2: "The reason is to discuss the method of sale."

... under KRS 61.810, Section One, Subsection **c** *[written as KRS 61.810(1)(c)]* to discuss litigation involving the Library."

Ex. 1: "The reason is to discuss a settlement offer from opposing counsel." Ex. 2: "The reason is to discuss strategy for a potential lawsuit."

...under KRS 61.810, Section One, Subsection **f** *[written as KRS 61.810(1)(f)]* to discuss a personnel matter.

Ex. 1: "The reason is to discuss hiring a new director."

Ex. 2: “The reason is to discuss a disciplinary action taken last week.” Ex. 3: “The reason is to avoid damage to the reputation of the individual whose actions may lead to dismissal.”

Record in the minutes the time the Board reconvened the open meeting.

NOTE: No matters may be discussed in the closed session other than those publicly announced prior to convening the closed session.

Kentucky Department for Libraries and Archives

For help with Library Board questions, contact

Your Regional Librarian

For Contact Information:

<http://kdl.ky.gov/librarians/plssd/Documents/regionalconsultants.pdf>

A FEW FACTS ABOUT LIBRARY BOARD MEETINGS:

KRS 15.257 Newly appointed trustees are required to be given copies of *Your Duty Under the Law* and *Managing Public Records* within 60 days of appointment and sign a Receipt of Signature form that is then filed with the County Judge-Executive's office. This means you understand what you can and cannot do in regard to the Open Meetings Act (OMA) and will be law-abiding board members.

- All meetings of a quorum (3) of the members of any public agency (library boards) shall be open to the public
- All meetings must be held at specific times and places which are convenient to the public
- All public agencies (libraries) must provide for a schedule of regular meetings
- No person may be required to identify himself/herself in order to attend a meeting
- No condition other than those required for the maintenance of order shall apply to the attendance of the public at any meeting
- While the public has the legal right to attend, observe, and listen to all meetings, this law does not grant the right to participate in the meeting or address the members of the board

(this may be allowed by the board if it so wishes, as it is not prohibited)

- All public agencies must permit news media coverage, including but not limited to recording and broadcasting
- Individuals may be permitted to tape record a meeting so long as it does not interfere with the orderly conduct of the meeting.

IN REGARD TO CLOSED (EXECUTIVE) SESSIONS:

- No final action may be taken in a closed session; only in open session, therefore no minutes are taken during the closed session
- No matters may be discussed in the closed session other than those publicly announced prior to convening the closed session.

PENALTIES:

- Where the violation is found to be willful, the person bringing suit may be awarded costs, including reasonable attorney fees, incurred in connection with the legal action
- In addition to attorney fees, it shall be within the discretion of the court to award the person an amount not to exceed \$100 for each instance in which the court finds a violation
- Attorney fees, costs, and awards as outlined above shall be paid by the agency responsible for the violation

- Any member of the board who knowingly attends a meeting that is covered by the Open Meetings Act but that is not held in accordance with the provisions of that Act shall be punished by a fine of not more than \$100.
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Freedom to Read

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label “controversial” views, to distribute lists of “objectionable” books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be “protected” against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings. The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.* No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.* The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for

others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We

realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953; revised January 28, 1972, January 16, 1991, July 12, 2000, June 30, 2004, by the

ALA Council and the AAP Freedom to Read Committee.

A Joint Statement by:

American Library Association
Association of American Publishers

Subsequently endorsed by:

American Booksellers Foundation for Free Expression
The Association of American University Presses, Inc.
The Children's Book Council
Freedom to Read Foundation
National Association of College Stores
National Coalition Against Censorship
National Council of Teachers of English
The Thomas Jefferson Center for the Protection of Free Expression

Freedom to View

The **FREEDOM TO VIEW**, along with the freedom to speak, to hear, and to read, is protected by the [First Amendment to the Constitution of the United States](#). In a free society, there is no place for censorship of any medium of expression.

Therefore, these principles are affirmed:

I. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas.

Liberty of circulation is essential to insure the constitutional guarantees of freedom of expression.

II. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.

III. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.

IV. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.

V. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

Endorsed by the ALA Council January 10, 1990

This Manual was presented and approved by the board at the Board Meeting held
8/24/2020

Chair – Cecil Lawson (aye)

Vice Chair – Bill Judd (aye)

Secretary – Sharyn Norman (aye)

Treasurer – Brenna Stamm (aye)

Trustee – Virginia McKenzie (absent from meeting)

The Policy manual is fundamentally the same as previous manuals however some sections
are removed to the procedures manual and some wording changes made.